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TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION	Docket Number (Optional) 02/054 MFE

In re Application of: Bart JANSSENS et al.

Application No.: 10/683,935

Filed: 10/10/2003

For: Multilayer, biaxially oriented polyester film, process for its production and its use

The owner*, Mitsubishi Polyester Film GmbH, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 10/683,851;10/683,852, filed on Oct 10, 2003, of any patent on the pending second application.The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

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2. ☑ The undersigned is an attorney or agent of record.

Cathy R Moore 1/12/05
Signature Date

Cathy R. Moore, Reg. No. 45,764
Typed or printed name

☑ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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